

Application No. 10/828,501
Response dated November 29, 2007
Reply to Office Action of November 14, 2007

Remarks/Arguments:

This Response adds no new claims and does not amend any claims. Upon entry of this Response, claims 1-7, 11, 12, 20 and 28 will be pending. Claims 1, 20 and 28 are independent.

Allowable Subject Matter

The Examiner is thanked for the allowable subject matter of claims 1-7, 11, 12, 20 and 28. Specifically, the Examiner has stated that claims 1-7, 11, 12, 20 and 28 would be allowable if the Applicant agrees to a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c) or 37 C.F.R. 1.321(d) to overcome the ground of nonstatutory obviousness-type double patenting.

Double Patenting

The Examiner has rejected claims 1-7, 11, 12, 20 and 28 on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-19 of U.S. Patent No. 7,022,128.

In response, the Applicants hereby assert that the conflicting patent is commonly owned with this application and submit a terminal disclaimer in compliance with 37 C.F.R. 1.321(c). Accordingly, the Applicants respectfully request the withdrawal of the nonstatutory obviousness-type double patenting rejection of claims 1-7, 11, 12, 20 and 28.

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Conclusion

In view of the above, it is believed that the application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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